

SENATE CHAMBER,
AUSTIN, TEXAS, May 3, 1870.

Senate met pursuant to adjournment.

President Don Campbell in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and adopted.

Senator Bowers offered a memorial in behalf of the heirs of General Sam Houston, and asked that it be referred to the Judiciary Committee.

Which was granted.

Senator Bowers presented the petition of W. B. Price, applying for headright land certificate.

On motion, it was referred to Committee on Private Land Claims.

Senator Ruby moved that all bills, memorials, petitions and resolutions on their first reading be read by caption, unless by special request of some member.

Carried.

Senator Alford moved that the Senate go into executive session as soon as they get through the business of the morning.

Carried.

Senator Flanagan presented a bill to incorporate the Jefferson and Shreveport Railroad.

Referred to the Committee on Internal Improvements.

Senator Baker presented a bill to construct and build a bridge across the Guadalupe river.

Referred to Committee on Roads, Bridges and Ferries.

Senator Bell presented a bill to authorize District Judges to grant corporations.

Referred to the Judiciary Committee.

Senator Baker presented a bill authorizing certain parties to build a bridge across the Guadalupe river at Seguin.

Referred to Committee on Roads, Bridges and Ferries.

Senator Priest offered the following resolution :

Resolved, The Committee on the Judiciary, Internal Improvements, Education and Immigration, be each authorized to employ a clerk at five dollars per day whenever a majority of said Committee shall consider it necessary.

Senator Fountain moved to amend said resolution by inserting Committees on Indian Affairs and Frontier Protection.

Carried.

Senator Ruby offered the following resolution :

Resolved, That the Committee on Public Buildings be instructed to confer with similar House Committee with a view to plans and estimates for the immediate erection of a building, or buildings, within the capitol grounds, suitable for the location of fifteen (15) committee rooms, now demanded by the necessities of labor of the present Legislature.

Senator Bowers offered the following amendment :

Provided, nothing in this resolution contained shall be construed to authorize the building of any room, or rooms, until the same shall be provided for hereafter.

Yeas and Nays called for.

Result as follows :

Yeas—Bowers, Flanagan, Ford, Fountain, Hall, Pettit, Rawson, Ruby, Saylor—9.

Nays—Alford, Baker, Bell, Broughton, Clark, Cole, Dohoney, Douglas, Gaines, Hertzberg, Latimer, Mills, Parsons, Pickett, Priest, Pridgen, Pyle, Shannon—18.

Senator Bowers offered the following resolution :

Resolved, That the Judiciary Committee be instructed to inquire into the authority of the officers under the late Provisional Government to continue their action as officers under the State Government, and to report by bill or otherwise.

Adopted.

Senator Priest presented a joint resolution to authorize officers elect to act under existing laws till further legislation.

Referred to Committee on Judiciary.

Senator Bowers offered a bill entitled an act to establish a code of civil procedure for the State of Texas.

Referred to the Judiciary Committee.

Senator Flanagan offered a bill to incorporate Hallsville, Harris county, Texas.

Referred to the Committee on Counties and County Boundaries.

Senator Clark moved that two hundred copies of the bill introduced by Senator Bowers, entitled "an act to establish a code of civil procedure for the State of Texas," be printed for the use of the Senate.

Senator Parsons moved to amend by inserting five hundred in the place of two hundred.

Carried as amended.

The President announced the reception of a communication from J. M. Gibbs, Sergeant-at-Arms of the Senate, and ordered the same to be read, as follows :

AUSTIN, May 3, 1870.

To HON. DON CAMPBELL,

President of the Senate :

The undersigned, Sergeant-at-Arms of the Senate, respectfully represents that at the election of November, 1869, he was elected Sheriff of Grimes county. That to enable him to execute the necessary bond as such sheriff it is important for him to visit the said county of Grimes. He therefore respectfully asks for leave of absence for fifteen days for that purpose.

Should the Senate deem it improper to hold the position of Sergeant-at-Arms while holding the office of Sheriff of Grimes county, then he hereby tenders this his resignation of the position of Sergeant-at-Arms of the Senate.

Very respectfully,

Your obedient servant,

J. M. GIBBS,

Sergeant-at-Arms Senate.

Senator Flanagan moved that a leave of absence be granted him.

Senator Douglas moved to refer it to the Judiciary Committee.

The President called Senator Alford to the Chair.

Motion of Senator Douglas lost.

Senator Flanagan's motion carried, and leave of absence granted J. M. Gibbs, Sergeant-at-Arms.

Senator Hertzberg offered the following resolution :

Resolved, That the Committee on Militia be authorized to employ a clerk for such length of time as it may deem necessary, at a rate of five dollars per day.

Carried.

Senator Mills moved to amend by adding Contingent Expenses and Finances.

Carried.

Senator Parsons moved to add Committee on State Affairs.

Carried.

Senator Latimer moved to add Committee on Roads, Bridges and Ferries.

Carried.

Senator Baker offered the following as a substitute for the whole

Resolved, That each of the standing committees be and they are hereby authorized to employ a clerk, at a salary of five dollars per day, when, in the opinion of a majority of any one committee, a necessity for a clerk exists, the same to be reported by the committees to the Senate.

Carried.

Senator Fountain moved to adopt the substitute.

Carried.

Senator Ruby moved to adopt the resolution as substituted.

Yeas and nays called for.

Vote as follows :

Yeas, 11.

Nays, 16.

Yeas—Baker, Bell, Bowers, Ford, Fountain, Gaines, Hertzberg, Mills, Pettit, Ruby, Saylor—11.

Nays—Alford, Broughton, Clark, Cole, Dohoney, Douglas, Flanagan, Hall, Latimer, Parsons, Pickett, Priest, Pridgen, Pyle, Rawson, Shannon—16.

Senator Parsons moved a recess of five minutes.

Carried.

IN SENATE, 12:30 M.

Senate went into executive session.

Senator Priest requested that the bill introduced by him yesterday, in regard to Freedmen and women be referred to the Judiciary Committee.

Granted.

Senator Saylor offered the following resolution:

Resolved, That the Committee on Rules be authorized and requested to confer with a similar committee of the House for the purpose of drafting and reporting joint rules for the two Houses.

Carried.

Senator Ruby moved to adjourn until 12 M., to-morrow.

Carried
